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G/TIP FOR MARK TAYLOR AND SALLY NEUMANN; SA/INS FOR JENELLE KRISHNAMOORTHY; SA/RA FOR LINDA LEE; DRL/IL FOR JDEMARIA
DEPT OF LABOR FOR ILAB - MARK MITTELHAUSER

E.O. 12589: N/A

TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SOCI](#) [OTRA](#) [PREL](#) [SMIG](#) [BG](#)

SUBJECT: TIP TIDBITS - CHILD LABOR, FEMALE FETICIDE, CHILD MARRIAGE & FAST TRACKED COURTS

1. (U) The following describes a variety of news reports and GOI actions on child labor, female feticide and child marriage that we have been following over the past few weeks.

LARGEST RAID IN DELHI HISTORY

2. (U) On November 21, "The Hindu" reported in their morning paper that the Delhi State Labor Department, the Delhi Police and the NGO Pratham planned to undertake the "biggest ever operation against child labor." The plan was to rescue hundreds of children working in zari (a type of embroidery common to Indian garments that threads fine gold or silver wire into fabrics) factories, and the government had short-stay facilities identified for 2,000 children just in case. Despite the fact that the newspaper had thereby warned every factory owner of the upcoming raid, the GOI still was able to rescue 477 children between the ages of five and fourteen from a variety of Delhi sweatshops. The operation began around noon, and Ravi Kant from the NGO Shakti Vahini told post that the zari owners tipped off one another throughout the day and fled the scene. In many cases the owners told the children to keep quiet and/or sent them home. Ravi reported that, "A zari unit was operating from the first floor of a school building. The unit owner had school identity cards issued to the children to show them as students. In another unit we found that several children had been hidden under heaps of quilts, while scores were sent to parks in the area to evade detection."

3. (U) According to M. Rajan, the managing trustee of Pratham, the children were rescued from horrible conditions. They worked in small, poorly ventilated and badly lit rooms. Most children worked for more than 10 hours a day. Despite the poor conditions, the BBC reported that dozens of the children wanted to return to work and some of them tried to escape from the temporary shelters immediately after being rescued. One rescued child reported to the BBC that he worked eight hours every day and at the end of the month his manager sent 300 Rs (about \$7) to his mother in Bihar. Other children reported working 15-hour days and getting paid 800 Rs (approximately \$18) a month. The minimum legal wage in New Delhi is 2,800 Rs (approximately \$62) a month.

4. (U) The "Express Newslime" reported that according to the Labor Commissioner Piyush Sharma: "We have been actively working on this matter since June 2005. Working under the INDUS project, we sought and received cooperation from NGOs like Pratham and Prayas." The INDUS project is the 40 million dollars joint India-US project to combat child labor in 10 industries in 21 districts across five states. The International Labor Organization (ILO) is implementing the project.

5. (U) One week later, the rescues have received criticism from those who felt that Pratham and the Government did not do enough planning for post-raid rehabilitation. While 180 of those rescued have been put up in a rehabilitation center run by Prayas, the remaining children are now in Juvenile Homes -- the same homes that house juvenile delinquents -- rather than shelters. "The Pioneer" reports that there was neither a First Information Report (FIR) (an initial police report) for these children, nor for the employers. These police reports are critical for the children to receive financial compensation from various government rehabilitation schemes; and these FIR reports are also necessary to file charges against the factory owners. "The Pioneer" criticized raid organizers because they did not consult with the Labor Department Divisional Commissioner who is normally responsible for carrying out such raids. According to the "Times of India," The Department of Labor criticized the media for leaking the story and consequently the "raids were not as successful as the department had hoped."

6. (U) Pratham released its volunteers responsible for the

rescue operations after the fact, citing the subsequent bad press. "The Pioneer" also reported that the "lure of UN funds" drove the NGO to rescue the kids rather than more properly focus on their well-being. The Delhi Child Welfare Committee (CWC) will now determine where the children will go and it is expected that they will be turned over to their parents. However, the victims will not qualify for rehabilitation under the Child Labor Act since the rescue did not follow proper procedures (such as filing an FIR).

17. (U) ILO's Indus Project Coordinator Surina Rajan told post that the original idea was to rehabilitate all the rescued children at shelters run by Prayas and Pratham. However, Pratham could not set up its shelter home and consequently the children had to be sent to the state run juvenile homes. Rajan mentioned that there was intense pressure on the Delhi government from NGOs and the media to mount this operation and hence, it was quite possible that all the details were not worked out carefully. Hinting at more such actions in the future, Rajan said that the INDUS would try and rope in other NGOs such as the M.V. Foundation to set up bridge camps/centers in Delhi to rehabilitate children rescued in future.

GOOD NEWS ON FEMALE FETICIDE

18. (U) On September 21, the Indian Express reported that the Ministry of Human Resources Development (MHRD) decided to waive fees and provide scholarships to all girls from single-child families until the post-graduation level. The scholarship will be available for all families with a single girl child, irrespective of income groups. If a family has two girls, then the scholarship will only be available for one child. The scholarship money ranges from 800 Rs (\$18) for high school studies to 2000 Rs (\$45) for postgraduate studies. The MHRD hopes to help correct the male-female sex ratio by reducing the financial burden on families with girls through these scholarships.

19. (U) On September 20, the Asian Age reported that the sex ratio in the state of Haryana saw a slight but significant improvement from 819 to 833 CSR (Child Sex Ratio as measured by number of girls per 1000 boys ages 0-6). The Haryana government is pleased with the news but states the improvement could be attributed to a recent administrative change whereby the registration of births and deaths is done in health care centers and not police stations, resulting in more births being registered. In one district, Sonapat, the CSR jumped from in one year from 706 to 772 (girls per 1,000 boys). However, this is still 22% below the biological norm.

110. (U) In August, Parliament passed the Hindu Succession (Amendment) Bill. The bill gives daughters and sons equal rights to claims on inheritance of property. The Law and Justice Minister is now directing the States to amend current state laws on the subject to bring all laws related to inheritance into conformity with this bill. In September, Prime Minister Singh traveled to the Punjab and called for a social campaign to end female feticide, and drew attention to the alarmingly low CSR in the Punjab (876 girls per 1,000 boys).

CHILD MARRIAGE CASES

111. (U) On August 26 the Indian Express reported that a 20-year-old woman, Savita Chaudhary, is fighting her own community related to her illegal marriage at the age of three years old. Her supposed in-laws are demanding money to annul the wedding and the panchayat (local government) chief has gone on record as saying, "She's an immature girl. Our culture accepts child marriage and she'll have to accept whatever the community decides." In a separate case, on October 8 the Delhi High Court ruled that the otherwise illegal marriage of a 15-year-old girl was valid since it was of her own free will. (The Child Marriage Restraint Act sets 18 as the minimum age for a woman to marry and 21 for a man.) National Commission for Women (NCW) chairwoman Dr. Girija Vyas expressed significant disappointment with the decision, saying, "There should definitely be a rethink on this court order and the government should appeal against the decision." The Indian Express reported in a related story that the Governments of Rajasthan and Madhya Pradesh (MP) are trying to raise the average age of marriage to reduce infant and maternal mortality. According to the paper, "more than half of the girls in MP and Rajasthan are married off before they turn 15."

FOCUS ON JAINS

112. (U) On October 23 the Indian newsmagazine "The Week" did a story on traffickers taking tribal girls from Madhya Pradesh and selling them to Jain families under the false pretense that they were also from Jain families. Traffickers dress the women in traditional Jain clothes and teach them Jain prayers and customs. The women are also

forced to sleep with some of their prospective husbands. Families pay as much as 50,000 Rs (\$1,150) to the traffickers in exchange for the victims. The traffickers claim innocence, stating, "There are many instances where husbands know the real caste of their wives but other family members do not. If the girls are happy, it's fine." The article concludes that trafficking has been on the rise due to the low CSR (870 girls per 1,000 boys) for Jain families.

13. (U) On October 11, the Hindustan Times reported on "Jains on female feticide blacklist." The Health Minister, Dr. Anbumani Ramadoss, stated, "Banning pre-natal sex determination through law is obviously not enough. It's a social problem and we need to change the mindset of the people through people who can influence their thinking, such as religious leaders." Some state and local governments are taking innovative actions. For example, the Hyderabad government posts a nurse outside of clinics to count the number of pregnant women who walk in and then tallies the total against the clinic's medical records to ensure compliance with the law.

FAST TRACKING DOMESTIC VIOLENCE CASES

14. (U) On November 26, "The Hindu" reported that the Chief Justice of the Supreme Court, Y.K. Sabharwal, proposed that domestic violence cases be fast tracked. The Chief Justice acknowledged the backlog of cases, but stated that domestic violence cases need to be redressed immediately, and that the outcome of these cases should be publicized. At the same Women's Legal Aid Summit, the Law Minister H.R. Bhardwaj said that he was prepared to increase the Supreme Court by five seats if more women judges could be included (currently there is only one sitting female Supreme Court judge).

15. (U) COMMENT. There has been a noticeable increase in the number of news stories on trafficking and related issues over the past year. Further, unlike before, the stories are drawing links between various interrelated issues such as feticide, child marriage, child labor, and trafficking. This is an important new trend because it is not only representative of evolving opinions in society, but the increasing press coverage of gender issues (including trafficking) could serve to help shape public opinion as well. END COMMENT.

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